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Letter dated 27 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Iraq, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see enclosure).

I should be grateful if you could arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

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Enclosure

[Original: Arabic]

Letter dated 26 December 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

On instructions from my Government I have the honour to present to you hereinafter the report on the anti-terrorist measures adopted by the Government of Iraq.

1. Iraq is the foremost victim of terrorism, including State terrorism. Its leaders, officials and citizens have been exposed to many terrorist kidnapping attempts and its cities and villages have been the target of terrorist acts committed by terrorists who slip across borders — terrorists that receive patronage, training, financing and armament within a framework of State terrorism, i.e. terrorism carried out by States themselves. One such State is the United States of America, which openly spends tens of millions of dollars on troops of mercenaries to carry out terrorist operations against Iraq pursuant to what is referred to as the "Iraq Liberation Act".

2. On the pretext of implementation of Security Council resolution 678 (1990), Iraq's cities, towns, villages and economic, scientific and cultural facilities were subjected to organized destruction by the United States and Britain in 1991. Those two States have also illegally imposed aerial exclusion zones in northern and southern Iraq since 1991, using military power to enforce them and attacking Iraqi civilians and Iraqi civilian installations daily in a glaring violation of the Charter of the United Nations and international law. The character of terrorism aimed at civilians also applies to the use of depleted uranium against the Iraqi people by the United States and Britain since 1991, resulting in incidences of foetal malformation and cancer that are dozens of times higher than they were prior to 1991 and the pollution of the region's environment with toxic and radioactive residues for generations to come.

3. Iraq emphasizes that the fight against terrorism requires, first and foremost, agreement on a clear and unambiguous definition of terrorism. Iraq is committed to a definition based on a general concept of terrorism that includes, among other things, State terrorism. At the same time, it is committed to the natural and inalienable right of all peoples to self-determination, which is considered by the Charter of the United Nations as one of the fundamental goals of the world Organization and from which is derived the right to resist foreign occupation, colonial domination and aggression in all its forms, whether military or economic. This is a right that has been reaffirmed by a number of international covenants, including the Protocol Additional to the 1949 Geneva Conventions of and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States, adopted by the United Nations General Assembly in 1970. It is also mentioned in the 1999 Convention of the Organization of the Islamic Conference on Combating International Terrorism and the 1998 Arab Convention for the Suppression of Terrorism.

4. Iraqi legislation condemns international terrorism, including State terrorism, and provides severe penalties for the perpetration, financing or backing of such terrorism. Most of the essential provisions of the international anti-terrorism conventions are basically contained in Iraqi laws passed prior to the adoption of Security Council resolution 1373 (2001). Iraqi penal law 111 of 1969 (terrorist crimes) ruled out the qualification of crimes as political even when committed for political reasons. In this way the Iraqi legislator classified such crimes among ordinary crimes, made them subject to the severest penalties and included their perpetrators under the rules governing the extradition of criminals.

5. Iraq has signed, ratified or acceded to many international and regional conventions against terrorism, including the following:

(a) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973 and ratified by Iraq by law No. 3 of 1978;

(b) Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963 (law No. 89 of 1980);

(c) Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 January 1970 (law No. 127 of 1971);

(d) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal, 23 September 1971 (law No. 95 of 1980);

(e) International Convention against the Taking of Hostages, adopted by the General Assembly on 17 December 1979 and signed by Iraq on 22 April 1988;

(f) Arab Convention for the Suppression of Terrorism, adopted by the Council of Arab Ministers of the Interior and the Council of Arab Ministers of Justice and signed by Iraq on 22 April 1998;

(g) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988 (instrument of accession to the Protocol filed by Iraq on 31 January 1990).

6. Regarding other international and regional conventions relating to terrorism (apart from those pertaining to regions that do not include Iraq) and the other questions contained in resolution 1373 (2001), a careful study is being conducted. A specialized task force has been created to conduct that study and present appropriate recommendations.

(*Signed*) Abdul Munim **Al-Kadhe**
Chargé d'affaires a.i.